

**RESOLUTION NO. 2021-\_\_\_\_**

**RESOLUTION TO ESTABLISH A CODE OF ETHICS FOR THE CITY OF BRYANT EMPLOYEES**

**WHEREAS**, the City of Bryant has a desire for known standards of ethical conduct as a guide for City employees in the performance of their duties, and;

**WHEREAS**, the City Council of the City of Bryant is interested in incorporating the spirit of ethical values as the foundation and guidelines for a Code of Ethics, and;

**WHEREAS**, the City Council of the City of Bryant embraces core ethical values which will shape the conduct for City Employees.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bryant that the following Code of Ethics is hereby approved and adopted, as the Code of Ethics for all employees of the City of Bryant.

**City of Bryant Code of Ethics**

**I. Purpose:**

To establish the City of Bryant's Code of Ethics and to document expectations regarding job performance and business conduct related to integrity in both actions and appearance.

**II. Scope:**

This guideline applies to all City employees.

**III. Definitions:**

"Confidential Information" includes information labeled "confidential" and/or information not generally known to the public that, if disclosed, could harm the City's, or an employee of the City's, financial position, reputation or other interests.

"Conflict of Interest" refers to a situation, or opportunity, through which an employee can benefit personally from actions or decisions made as part of their work for the City of Bryant.

"Immediate Family" includes spouse, siblings, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren as well as step- and in-law relations of the same, or any person for whom the employee has power of attorney or guardianship rights.

"Significant Financial Interest" is ownership by an employee, and/or the employee's Immediate Family, of more than 1% of the outstanding securities/capital value of a

corporation, or that represents more than 5% of the total assets of the employee and/or close family member(s).

“Supplier” is any company(ies) or individual(s) with which the City does, or might do, business, including individual employees and contractors of any such supplier(s).

“City Ethics Officer” refers to the Human Resource Director or his/her designee.

#### IV. **Guideline:**

Given the importance of the City’s work, a violation of this guideline is grounds for disciplinary action up to and including, termination.

- a. **High Ethical Standards Expected:** The City’s Code of Ethics requires employees to operate with the highest ethical standards and to conduct business activities in a decent and proper manner. Employees are also expected to engage in good business practices that reflect well on other employees and the City.
- b. **Compliance with all Laws, Rules, Regulations and Sound Business Practices Required:** Certain specific requirements for ethical work performance are addressed below. When in doubt, employees are expected to seek guidance from relevant leadership regarding appropriate conduct. Employees should also use good business judgment based on high ethical standards.
  - i. Compliance. Obeying all laws, rules and regulations applicable to the City’s business and the employee’s work responsibilities is required. Acting with the highest integrity and behaving in a respectful, honest, and fair manner are also required.
  - ii. Resource Stewardship. The City’s assets and resources, such as equipment, materials, vehicles, working hours, etc., are for business purposes. Efficient use, and protection of those assets and resources are required to advance the City’s interests. Employees should not steal, or misuse, the City’s assets and/or resources.
  - iii. Protecting Confidential Information.
    1. Except as specifically authorized or legally-mandated, employees must not disclose confidential information learned through their employment, or use that information, in an unauthorized manner. This duty of protection and non-disclosure applies as long as the information remains confidential, including following separation from the City’s employment.
    2. Questions concerning confidential information should be directed to the employee’s supervisor, manager, the City’s Human Resources Director or his/her designee.
- c. **Conflicts of Interests.** Conflicts of Interest can arise when an employee, or an employee’s Immediate Family, has a personal interest, or interests, that affect objective and/or effective performance of an employee’s job.

- i. Employees are expected to perform their jobs in the City's best interest. As a result, employees must avoid actual, and perceived, Conflicts of Interest between the City's interests and the employee and their immediate family's interest.
  - ii. Employees, including their Immediate Family, as applicable:
    1. May not have, or create, a Conflict of Interest related to their City's employment;
    2. May not receive money or gifts, in whatever form, from any Supplier(s), whether directly or indirectly;
    3. May not take personal advantage of opportunities discovered through the use of the City's business, information or position;
    4. May not own a Significant Financial Interest in a Supplier(s) without approval of an Ordinance through City Council.
    5. May not seek, or accept, loans or guarantees of obligations from a supplier, or potential supplier. Banks and other recognized lending institutions are excluded from this prohibition.
    6. Without the Mayor's pre-approval, Employees, and their Immediate Family, as applicable:
      - a. May not directly, or indirectly, give gifts, gratuities or entertainment with more than a nominal value to Supplier(s). Here, "more than a nominal value" means greater than \$25 in fair market value for an individual item or \$250 in total for multiple items; and
      - b. May not accept, directly or indirectly, gifts, gratuities or entertainment with a fair market value of more than \$25 from Supplier(s) during a given year.
      - c. *SPECIAL CIRCUMSTANCES*:
        - i. Business meals offered/accepted are excepted from this prohibition;
        - ii. Prizes won in random selections or drawings, such as door prizes, are excepted from this prohibition;
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- d. **Financial Integrity:** City employees must ensure full, fair, accurate, timely and understandable information is provided when communicating with the public, in reports, and/or any documents filed with, or submitted to, regulatory, judicial or other governmental authorities.
  - i. All financial transactions and other business activities in the City's books and records must include reasonable detail related to invoices, records, accounts, funds and assets concerning the underlying transactions and the nature of the business conducted.

- ii. No record entries will be made that intentionally conceal or disguise the true nature of any transaction or business activity. The following actions are explicitly prohibited by all employees:
  - 1. Knowingly falsifying any City document(s), or causing others to make a materially misleading, incomplete or false statement in connection with an audit or any information provided to a governmental, judicial or regulatory entity;
  - 2. Knowingly destroying or falsifying any city document(s) that are potentially relevant to an investigation under an applicable law, rule or regulation, whether by internal or external means;
  - 3. Falsifying time keeping records for payment of salary or wages;
  - 4. Creating and/or maintaining off-the-record accounts; and
  - 5. Opening and/or maintaining an undisclosed or unrecorded city account, fund, or asset.

**V. Reporting Requirements:**

All employees benefit from an integrity-rich workplace and, as such, each employee has a duty to report any suspected violations of this, or any other, city guidance or procedure. Such reporting may be to the employee's supervisor or to the City Ethics Officer. All reports and inquiries will be handled confidentially, to the greatest extent possible under the circumstances.

**VI. Annual Certification for Employees:**

The importance of this guideline to integrity in City operations requires employees to annually certify their understanding of this guideline and their continued compliance with the guideline.

**PASSED AND APPROVED this \_\_\_\_\_ day of January, 2021.**

**APPROVED:**

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Allen E. Scott, Mayor

ATTEST:

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Sue Ashcraft, City Clerk